



ROY CITY
Revised
Roy City Council Agenda
November 1, 2016 – 6:00p.m.
Roy City Council Chambers
5051 South 1900 West

Moment of Silence and Pledge of Allegiance: Councilmember Tafoya

1. Approval of the October 18, 2016 City Council Minutes
2. Award of Employee of the Month
3. **6:00 Public Hearing** Regarding Roy City's Intent to Annex Unincorporated Island and Peninsulas
4. Discussion of Ambulance Lift
5. Consideration of Resolution No. 16-49 Approving an Interlocal Agreement between Roy City and Hooper City for Crossing Guard Services
6. Public Comments
7. City Managers Report
8. Mayor and Council Report
9. Adjourn

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: admin@royutah.org at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 31st day of October, 2016. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 31st day of October, 2016.

Amy Mortenson
Roy City Recorder

Visit the Roy City Web Site @ www.royutah.org
Roy City Council Agenda Information – (801) 774-1020



ROY CITY

Roy City Council Agenda

October 18, 2016 – 6:00 p.m.

Roy High School – Little Theater
2150 West 4800 South

Minutes of the Roy City Council Meeting held in the City Council Room of the Roy City Municipal Building on October 18, 2016 at 6:00 p.m.

The Meeting was a regularly scheduled meeting designated by Resolution. Notice of the meeting was provided to the Standard Examiner at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Mayor Willard Cragun
Councilmember Dandoy
Councilmember Hilton
Councilmember Becraft

City Manager Jay Baughman
City Recorder Amy Mortenson
City Attorney Andy Blackburn

Excused: Councilmember Tafoya and Councilmember Yeoman

Also present were: Deputy Police Chief, Aaron Perry; Fire Chief, Jason Poulsen; Public Works Director, Ross Oliver; Parks and Recreation Director, Travis Flint; Management Services Director, Cathy Spencer; Assistant City Attorney, Trent Nelson; Curtis Mortenson, Mark Hansen, Kathie Darby, Gloria Sveum, Robin Sveum, Ed Weakland, Roy Osborne, Shay Osborne, Alexis Taylor, John Boyce, Susan Boyce, Jon Grove, Kathy Greenwald, Bill Greenwald, Keri Williams, Gregg Williams, Darby Archuleta, Jason Archuleta, Kenlee Tribe, Sue Van Uitert, Masyn Nay, MiShell Gomez, Blake Mortenson, Tiffany Rodrock, Dan Wright, Julie Wright, Terry Browning, DeNece Browning, Terry Patterson, Vickie Patterson, Jeff Jackson, Lisa Jackson, Glen Olson, Dave Gremillion, Carolyn Gremillion, Jody Kadel, Suzy Stephens, Brian Fowers, Reid Wiberg, Jenny Oldham, Lois Oldham, Jed Thompson, Derrick Jenkins, Luke Jenkins, Whitney Robens, Josh Bohling, Jolene Zito, Steve Weber, Carol Weber, Curtis Weber, Gary Penrod, Rae Devlin, Jon Hales, Jill Roberts, Jared Bird, Roger Bovee, Connie Bovee, Veon Mower, Allison Fiscus, Scott Miller, Maddisyn Arnold, Priscilia Brinkerhoff, Janie Dean, Cathy Lykins, Harold Kerkman, Nathan Larsen, Sandi Christiansen, Nancy Bell, Edwin Eshler, Rachell Jones, Jared Flanders, Ernest Jacklin, Carolyn Jacklin, Chongby Thao, Linda Whittaker, Dan Thomas, Shauna Thomas, Sarah Schelin, Paul Schelin, Sandra Christensen, Tiffany Christensen, Dee Gledhill, Joline Allen, Sabine Parker, Allan Karras, Janeen Norman, Eugene Briscoe, Virginia Briscoe, Brent Jorgensen, Betty Jorgensen, Jason Moyes, Rachel Moyes, Guy Peters, Nicole Peters, Chris Barrow, Gordon Barrow, Kathy Yarrington, Bruce Illum, Seth Tenbrink, Annette McMillan, Michael McMillan, Chad Zito, Phillip Smith, Garet Woods, Monica Patino, Matt Gibby, Marie Gibby, Lamar Holt, Marilyn Holt, Rachel Moyes, William Dyson, Michelle Dick, Bradon Ward, Doug Nandell, Sarah Nandell, Jacee Elmar, Mikel Gras, Susen McLea, N. Fletcher, Chad Moser, Lindsey Ohlin, Chris Lewis, Jason Kunzler, Craig Stephens, Jean Tanish, Joan Peterson and Roger Peterson.

Moment of Silence and Pledge of Allegiance: Councilmember Becraft

1. APPROVAL OF THE OCTOBER 4, 2016 CITY COUNCIL MINUTES

Councilmember Hilton Motioned to approve the October 4, 2016 City Council Minutes as written. Councilmember Dandoy seconded the motion. All Councilmembers voted “aye”. The motion carried.



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2. AWARD OF EMPLOYEE OF THE MONTH

Deputy Police Chief, Aaron Perry, presented the Employee of the Month Award to Officer Mortenson. He read the letter of nomination outlining the ways in which he went above and beyond his duties.

Councilmember Becraft Motioned to approve Curtis Mortenson as September 2016 Employee of the Month. Councilmember Hilton seconded the motion. All Councilmembers voted “aye”. The motion carried.

3. CONSIDERATION OF RESOLUTION NO. 16-45 AUTHORIZING REPRESENTATIVES OF THE CITY TO TRANSACT BUSINESS ON ACCOUNTS AT ZIONS FIRST NATIONAL BANK

Councilmember Hilton Motioned to approve Resolution No. 16-45 Authorizing Representatives of the City to Transact Business on Accounts at Zions First National Bank. Councilmember Dandoy seconded the motion. A roll call vote was taken. All Councilmembers voted “aye”. The motion carried.

4. PUBLIC COMMENTS

Ed Weakland explained that for the past two years there have been problems with cars driving over a walkway from 4000 South to 4800 South. Mr. Weakland said he has called and complained to the Roy City Police Department, to which they responded that they haven't seen any action. He was concerned by the possibility of a pedestrian getting hit by a car, and requested that the City to address the situation.

5. CITY MANAGER'S REPORT

City Manager, Jay Baughman, did not provide a report at this time.

6. MAYOR AND COUNCIL REPORT

There were no Mayor and Council reports.

Councilmember Becraft Motioned to adjourn as the Roy City Council and convene as the Roy City Redevelopment Agency. Councilmember Hilton seconded the motion. All Councilmembers voted “aye”. The motion carried.

Roy City Redevelopment Agency Agenda

1. CONSIDERATION OF RESOLUTION NO. RDA 16-2 AUTHORIZING REPRESENTATIVES OF THE AGENCY TO TRANSACT BUSINESS ON ACCOUNTS AT ZIONS FIRST NATIONAL BANK

Board Member Becraft Motioned to approve Resolution No. RDA 16-2 Authorizing Representatives of the Agency to Transact Business on Accounts at Zions First National Bank. Board Member Hilton seconded the motion. A roll call vote was taken. All Board members voted “aye”. The motion carried.



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Board Member Hilton Motioned to adjourn as the Roy City Redevelopment Agency and reconvene as the Roy City Council. Board Member Dandoy seconded the motion. All Board Members voted “aye”. The motion carried.

Roy City Town Hall Agenda

1. CITY MANAGER / CITY COUNCIL PRESENTATION

City Manager, Jay Baughman, noted that a FAQ sheet was distributed and posted to the City’s website containing additional information on the proposed annexation. He encouraged citizens to come in and speak with staff at the Community Development Office if they have questions regarding their individual property needs. He presented the following information regarding the effects and impacts the proposed annexation would have on citizens living in County islands:

Utility Impacts

- Roy City Utilities: No longer pay double rate
- Secondary Water: Roy Water Conservancy District
- Hooper Water: Stay on Hooper Water
- Annexation or Franchise Fees: Absolutely none.
- Trash service: Some citizens currently pay around \$40/month, whereas with Roy City citizens would pay around \$25/every two months.

Business Impacts

- Business License: Only required for Roy, not Weber County
- Vehicle Parking: Pavement or gravel
- Signage: Roy allows one sign, 2’ x 2’ attached to the building
- Home Offices: Allowed
- Business Structures/buildings: Not allowed in residential areas
- Storage of Product: must be enclosed in a structure
- Anyone with a non-conforming use will need to come into the Community Development office to record their specific use. Current legal uses under Weber County will not be affected.

Public Safety

- Fire
 - Response time will greatly improve
 - Dispatch directly to Roy City Fire
- Police
 - Roy City has five officers patrolling
 - County has one deputy at any given time

Property Tax Impacts

- A net increase for a \$200,000 home of roughly \$200 a year
 - Recent property tax increase for Roy City
 - 38% increase – first increase in 11 years
 - A 3.45% increase annually
 - Average homeowner pays \$5 more a month



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Mr. Baughman presented slides of nine annexation areas, which showed areas that will be annexed into Roy City, whereas several areas successfully petitioned against the annexation. A map of these areas as they relate to City boundaries was presented, and will be available for review at the City Offices.

2. PUBLIC COMMENTS

Mr. Baughman defined an annexation as a legal transition of land located within or around Roy City boundaries, which is transferred to the City's jurisdiction. He explained that there are several pockets of County land located throughout the City, and as such they are trying to fill in those gaps to enhance the City's services provision. He stated that the residents living in those areas can't go about their daily lives without using Roy's services in some way, especially when accessing City roads.

Summary of discussion indicating **OPPOSITION** to the annexation:

- Several concerns were raised pertaining to unique circumstances some properties with business licenses may face if the annexation takes place; i.e., whether or not certain uses would be grandfathered in through the process.
- Several residents expressed concerns with the proposed tax increases. One resident stated the annexation would impose nearly a 40% tax increase and yet the residents being annexed into Roy City would not benefit from significantly enhanced access to services and facilities. Residents questioned whether or not there would be any financial benefits resulting from the annexation.
- Several residents questioned whether or not public safety services would be enhanced as a result of the annexation.
- One resident noted that as per Utah Code, there is supposed to be language included in municipal codes regarding annexations of unincorporated areas. A resident was concerned with Roy City's code being outdated, noting that the most recent updates took place in 2004.
- Several comments were made regarding whether or not the annexation was properly noticed to the residents affected.
- Several residents inquired as to whether or not the County has more flexible animal rights than Roy City.
- One resident spoke about the value of having limited government oversight, and believed this afforded citizens more freedom.

Summary of discussion indicating **SUPPORT** of the annexation:

- One resident who currently lives within Weber County's jurisdiction explained that as of this year their house is valued at \$221,524, and they will be paying \$1,889 in property taxes. A home directly to the west of them in an adjacent subdivision is valued at \$224,661, and that property owner will be paying \$1,944 in property taxes this year at Roy City's tax rate. This is a difference of \$55.00, even though the second home is valued a little higher. The resident provided a few other similar examples and stated that the notice sent out by Weber County notified residents of a 25% tax increase next year. The County's 2017 tax increase will be \$83.00



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for homes similarly valued, rather than the lower rate residents would be paying Roy City. In short, residents will end up paying more in property taxes to Weber County than Roy City.

- When Roy City annexes sections of County land, part of the money from Weber County will be transferred over to Roy City, thus eliminating any chance of double taxation from occurring.
- The County rates for Allied Waste have doubled over the course of seven years from \$50 to \$100 per month, whereas Roy City has a contract with Allied Waste, along with other utility services, which benefits citizens with guaranteed lower rates.
- With regards to Public Safety, one resident shared personal experiences they previously encountered with slow response times as a result of living in the County. The argument was made that response times would likely improve as a result of the annexation.
- A resident explained that there was a lack of snow plows in Weber County during winter months.
- Comments from several residents were made regarding the high level of service and professionalism Roy City's public safety personnel provide the community.

Additional Comments from the City Manager and Staff:

Mr. Baughman explained that based on the average property value within the areas to be annexed, the City will receive approximately \$52,000 in revenue annually. The City would assume responsibility of three miles of County roads if the annexation were approved. In order to do a two-inch overlay of asphalt on those roads would cost the City over \$300,000. This cost would not include improvements such as curb and gutter. Mr. Baughman provided this illustration to indicate that the City is not seeking this annexation for financial gain.

Regarding public safety, staff explained that Weber County has one deputy patrolling Hooper and the unincorporated areas of Roy, whereas Roy City has five officers throughout Roy City.

Staff explained that the City's code regarding annexation did not need to be readdressed because annexation criteria have not changed.

Staff and elected officials stressed that they want to work with citizens on this matter. Mr. Baughman outlined the various channels of communication of the City, and noted that the City went above and beyond what is required by State Law in noting the proposed annexation.

It was noted that the properties, rather than the property owners will be grandfathered in, should the annexation take place; if a property is sold then the use will be grandfathered in. However, each case will vary based on circumstances. All questions on individual property needs should be directed to the Community Development Office.

There will be a public hearing for the annexation on November 1, 2016. At that point, the Council may adopt an Ordinance approving the annexation. However, they will likely still need to further analyze each individual area of the annexation to see if they meet the thresholds, in which case the Ordinance wouldn't be adopted until a subsequent meeting.

Questions were raised regarding the release of maps showing the annexation areas to the City's website.



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Staff and elected officials were concerned with the possibility of citizens in opposition of the annexation targeting residents who would have otherwise chosen not to vote against it. As such, they indicated that they would not be posting these maps to the City's website.

While a properties located within City boundaries have more valuation within a City versus an unincorporated area, typically the change in value is not significant.

In speaking to the City's reason for the annexation, Councilmember Dandoy explained that the City has received several requests from citizens living in unincorporated areas requesting that this take place. He said that while there wasn't a lot of representation from that side present at tonight's meeting, there was another voice to this discussion. From his vantage point, he was indifferent to whether or not the annexation took place; rather, he wanted to represent the citizens who have expressed this desire. He said the beauty of the process is that the decision will come down to a majority vote. Councilmember Dandoy read from State Code which states that it is against the law for a City to do an annexation for the sole purpose of increasing revenue. He stressed that the citizens are in complete control of this decision. He stated that the annexation would aid the City's efforts in modernizing the community.

Staff explained that the law is strict that if 50% of an area petitions to not be annexed, annexation for that particular area cannot take place. As such, there are areas that will not be annexed because they submitted a petition which met the criteria.

3. ADJOURN

Councilmember Becraft motioned to adjourn at 8:10 p.m. Councilmember Hilton seconded the motion. All Councilmembers voted "aye". The motion carried.

Willard Cragun

Mayor

Attest:

Amy Mortenson
Recorder

To Whom It May Concern,

I would like to nominate Jody Call for Employee of the Month. Roy Days 2015 was a tremendous event, it was recognized by the community, staff and the City Council. As a matter of fact Jody received the Employee of the Month for her efforts that year. The day after receiving the award, Jody and I set down for a meeting and I said, "What next?" in typical Jody Call fashion she looked up and me flashed me a smile and said, "let's make it bigger and better." So began the task of making Roy Days 2016 the best Roy Days in memory.

The idea was to try and get at least one event or activity for all ages and skill levels. We wanted to give as many people in the community an opportunity to participate in our annual celebration. It was important to Jody that we try and include everyone. So Jody tracked down events, like Ninja Warrior, X-box tournaments, BMX, skateboarding, fish grabs, concerts, fishing derby's, bubble ball and car shows to name a few. She helped recruit food trucks, she choreographed space for carnivals, booths, stages, tents and firework perimeters. She listened to concerns of the community about parking issues and helped secure property to rectify the situation.

Jody would be the first person to tell you that this was a team effort. That it took dozens of employees, from all different departments to pull off her vision. First and foremost the City Council, for allocating resources to the event. Council-members Tafoya and Yeoman for helping plan with the Executive team. To Public Safety for their help in keeping traffic moving and providing a safe environment for all the participants. To finance and city administration who worked hard crunching numbers and helping us provide insurance in the 24th hour. To members of Parks and Recreation and Public Works who all worked tirelessly in an attempt to provide support, setup and clean-up for this great event. There is no doubt that Roy Days 2016 was a team effort, that being said, the heartbeat of that effort was Jody Call.

Jody did all of this while maintaining her day to day duties as a Recreation Supervisor. She did this through great planning, communication, delegation and flat out hard work.

For these reasons and many others, I would like to nominate Jody Call for August Employee of the Month.

I would be remiss if I didn't take the time to thank Jody's family. Colt and her two children Taedon and Bronx. I know how much physical time and emotional energy she spent on this event. I want to thank all three of you for sharing here with us.

Was Roy Days 2016 the best Roy Days ever, in my opinion yes? And I know there are thousands of people who agree with me.

Please help me in thanking Jody Call.

Resolution No. 16-49

**A Resolution of the Roy City Council
Approving an Agreement between Roy City Corporation
and Hooper City for Crossing Guard Services**

WHEREAS, Utah Code Ann. §11-13-101 et. seq., permits governmental entities to enter into cooperation agreements with each other; and

WHEREAS, Roy City recognizes the importance and need for joint cooperation with local entities to provide and receive services from neighboring communities which is a necessary and needed service to the City and surrounding communities; and

WHEREAS, Roy City wishes to, and recognizes the importance of, participating in any efforts designed to jointly help each other; and

WHEREAS, the Roy City Council has fully reviewed the attached Interlocal Agreement between Hooper City and Roy City and agrees to all the terms and conditions contained therein; and

NOW THEREFORE, the Roy City Council hereby approves the attached Interlocal Agreement (attached hereto and incorporated by this reference) as written and authorizes the Mayor of Roy City to execute this Agreement on behalf of the City.

Passed this 1st day of November, 2016.

Willard Cragun
Mayor

Attest:

Amy Mortenson
City Recorder

Voting:

	Aye	Nay	Absent	Excused
Councilmember Marge Becraft	_____	_____	_____	_____
Councilmember Robert Dandoy	_____	_____	_____	_____
Councilmember Brad Hilton	_____	_____	_____	_____
Councilmember Dave Tafoya	_____	_____	_____	_____
Councilmember Karlene Yeoman	_____	_____	_____	_____

**INTERLOCAL COOPERATION AGREEMENT
FOR CROSSING GUARD SERVICES**

This Agreement, made and entered into this 1 day of November, 2016, pursuant to the provisions of the Interlocal Cooperation Act (Section 11-13-101, et. Seq Utah Code Annotated 1953, as amended) by and between Hooper City, a Utah Municipal Corporation, and Roy City, a Utah Municipal Corporation.

WITNESSETH

Whereas, Hooper City and Roy City have determined there is a need to formalize an agreement for the provision of crossing guard services for Hooper City; and

Whereas, Hooper City desires to obtain crossing guard services at its elementary schools; and

Whereas, Roy City through the Roy City Police Department has the ability to provide such services.

Now, therefore, upon the mutual promises, and other good and satisfactory consideration, the parties agree as follows:

For the 2016 – 2017 school year Roy City will provide five crossing guards for crossing assistance in Hooper City. Three crossing guards for Hooper Elementary School, one for Freedom Elementary School and starting November 7, 2016, one crossing guard at the intersection of 4800 South 4700 West for Hooper City students going to Country View Elementary.

The crossing guards will each work 3 hours for every day school is in session, one hour each for morning, midday and afternoon crossing times.

The crossing guards are Roy City employees and will continue to be compensated, trained and supervised by the Roy City Police Department.

In consideration for Roy City providing crossing guards, Hooper City will pay Roy City \$27,042.00 in quarterly installments of \$6,760.50.

For the 2017-2018 and succeeding school years Hooper City will pay Roy City \$5,740.00 per crossing guard (5 X \$5,740.00 = \$28,740) in quarterly installments (\$7,175.00). Cost of living adjustments as determined by Roy City are acceptable.

This agreement shall continue until terminated by either party upon 30 day written notice.

No separate legal or administrative entity is created by this Agreement.

Each City shall be responsible for all damages to persons or property that occur as a result of the negligence or fault of that City's employees in connection with the performance of this Agreement. The responsible City shall also defend and indemnify the other City for all claims and expenses that arise out of the performance of this agreement. However, in no event shall indemnification exceed the amount set forth in Utah Code Annotated 63G-7-604.

This Agreement shall not be modified or amended, except in writing, and before any amendment is effective it shall be signed by the duly authorized representative of each of the parties after the adoption of a resolution of each entity approving the modification or amendment.

This Agreement is made and entered into subject to the provisions of the laws of the State of Utah, which laws shall control the enforcement of this Agreement.

This Agreement shall constitute the entire Agreement between Roy City and Hooper City and any prior understanding or representation of any proceeding the date of this Agreement shall not be

binding upon either party except to the extent incorporated in this Agreement.

This Agreement shall not be effective until approved by a resolution of the Roy City Council and the Hooper City Council, in accordance with the provisions of Section 11-13-202.5, Utah Code Annotated, 1953, as amended, and submitted to and approved by an authorized attorney for each party who shall approve the Agreement as being proper as to form and compatible with the laws of the State of Utah.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their authorized representatives as of the date first written above.

ROY CITY CORPORATION, a Utah
Municipal Corporation

By: _____
Willard S. Cragun
Mayor

Attest: _____
Amy Mortenson, City Recorder

HOOPER CITY CORPORATION, a Utah
Municipal Corporation

By: _____
Korry Green
Mayor

Attest: _____
City Recorder

APPROVED AS TO FORM AND AS
COMPATIBLE WITH STATE LAW:

Andrew H. Blackburn, Attorney for Roy City

Attorney for Hooper City